

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Richmond Division)**

In re:

Circuit City Stores, Inc. *et. al.*,

Debtors.

Chapter 11

Case No. 08-35653-KRH

Jointly Administered

**RESPONSE AND REQUEST FOR HEARING OF TKG COFFEE TREE, L.P. TO
DEBTORS' FORTY-FOURTH OMNIBUS OBJECTION TO CLAIMS
(DISALLOWANCE OF CERTAIN DUPLICATE CLAIMS)**

TKG Coffee Tree, L.P. ("TKG") files this response and request for hearing to Debtors' Forty-Fourth Omnibus Objection to Claims (Disallowance of Certain Duplicate Claims) (the "Objection") and, in support thereof, states as follows:

1. In the Objection, Debtors objected to the alleged duplicative claims contending, among other things, that "the same Claimant filed two (2) or more proofs of claim, or portions thereof, against the same Debtor..."

2. Debtors then contend that claim number 14165 is duplicative of claim number 14239 because, according to Debtors, claim numbers 14165 and 14239 were filed against the same Debtor. Debtors, however, are incorrect. Claim number 14165 was filed against Circuit City Stores, Inc., Case No. 08-35653. *See* Claim number 14165 at 1:21-22. Claim number 14239 was filed against Circuit City Stores West Coast, Inc., Case No. 08-35654. *See* Claim number 14239 at 1:21-22.

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3. Based on the foregoing, TKG requests that Debtors' Objection as to TKG's claim number 14239 be overruled.

WHEREFORE, for the reasons stated herein, TKG respectfully requests a hearing and further requests that this Court overrule Debtors' Objection as to claim number 14239, grant such other and further relief as the Court deems just and proper.

Dated: October 26, 2009

TKG COFFEE TREE L.P.

By: /s/ Ann K. Crenshaw

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Response and Request for Hearing of TKG Coffee Tree, L.P. to Debtors' Forty-Fourth Omnibus Objection to Claims (Disallowance of Certain Duplicate Claims) was sent on this 26th day of October, 2009, to all creditors and parties-in-interest who are included in the United States Bankruptcy Court's ECF e-mail notification system.

/s/ Ann K. Crenshaw